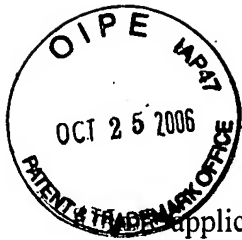


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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of

Docket No: Q79435

HIROSHI KATO, et al.

Appln. No.: 10/758,091

Group Art Unit: 1756

Confirmation No.: 5264

Examiner: John L. Goodrow

Filed: January 16, 2004

For: TONER AND IMAGE-FORMING APPARATUS USING THE TONER

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicants are filing

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/758,091

concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants note that the listed documents were cited in an Office Action issued on July 26, 2006 in the corresponding Japanese application. English abstracts of the first four Japanese language references are submitted herewith. As to the fifth, sixth and seventh JP documents, JP 2000-267357 corresponds to US Patent No. 6,187,489; JP 2001-100452 corresponds to US Patent No. 6,338,929; and JP 2001-022119 corresponds to US Patent No. 6,087,059.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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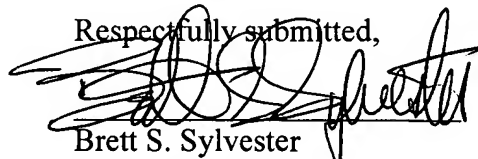
WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

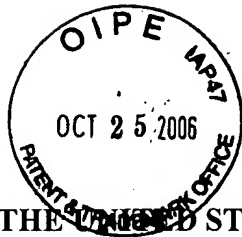
Date: October 25, 2006

Respectfully submitted,



Brett S. Sylvester

Registration No. 32,765



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79435

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Examiner: John L. Goodrow

Filed: January 16, 2004

For: TONER AND IMAGE-FORMING APPARATUS USING THE TONER

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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**23373**

CUSTOMER NUMBER

Date: October 25, 2006

Substitute for Form 1449 A & B/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number	10/758,091
		Confirmation Number	5264
		Filing Date	January 16, 2004
		First Named Inventor	HIROSHI KATO
		Art Unit	1756
		Examiner Name	John L. Goodrow
Sheet	1	of	1
		Attorney Docket Number	Q79435

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,187,489	B1	02-13-2001	Oishi et al
		US 6,338,929	B1	01-15-2002	Hagi et al
		US 6,087,059		07-11-2000	Duggan et al
		US			
		US			
		US			
		US			
		US			
		US			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	03-116054		05-17-1991	Toshiba Corp.; Toshiba Intelligent Technol. Ltd.	Abstract
		JP	2000-181118		06-30-2000	Matsushita Electric Ind. Co. Ltd.	Abstract
		JP	2000-267337		09-29-2000	Matsushita Electric Ind. Co. Ltd.	Abstract
		JP	2002-287419		10-03-2002	Tomoegawa Paper Co. Ltd.	Abstract
		JP	2000-267357		09-29-2000		
		JP	2001-100452		04-13-2001		
		JP	2001-022119		01-26-2001		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.